

By: Menéndez

S.B. No. 882

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of the Texas First Generation Matching Scholarship Program for certain first generation students at public institutions of higher education.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 56, Education Code, is amended by adding Subchapter S to read as follows:

SUBCHAPTER S. TEXAS FIRST GENERATION MATCHING SCHOLARSHIP PROGRAM

Sec. 56.501. DEFINITIONS. In this subchapter:

(1) "Coordinating board" means the Texas Higher Education Coordinating Board.

(2) "First generation student" means a person:

(A) whose parents or legal guardians have not obtained a baccalaureate degree; or

(B) who is or was in the conservatorship of the Department of Family and Protective Services.

(3) "Program" means the Texas First Generation Matching Scholarship Program.

Sec. 56.502. PROGRAM PURPOSE. The purpose of the Texas First Generation Matching Scholarship Program is to provide assistance in the payment of tuition and required fees to enable eligible first generation students to attend institutions of higher education.

Sec. 56.503. FIRST GENERATION MATCHING SCHOLARSHIP

1 ACCOUNT. (a) The first generation matching scholarship account is  
2 an account in the general revenue fund.

3 (b) The account consists of:

4 (1) money appropriated or transferred to the credit of  
5 the account by the legislature; and

6 (2) interest earned on the investment of money in the  
7 account.

8 (c) Money in the account may be used only to provide  
9 scholarships to eligible first generation students as provided by  
10 this subchapter.

11 Sec. 56.504. ADMINISTRATION OF PROGRAM. The coordinating  
12 board shall administer the program and adopt any rules necessary to  
13 implement the program or this subchapter. The coordinating board  
14 shall consult with the student financial aid officers of  
15 institutions of higher education in developing the rules.

16 Sec. 56.505. AWARD OF SCHOLARSHIP. From money available  
17 for the purpose, each institution of higher education shall award  
18 scholarships to eligible students under the program.

19 Sec. 56.506. INITIAL ELIGIBILITY FOR SCHOLARSHIP. (a) To  
20 be eligible initially for a scholarship under the program, a person  
21 must:

22 (1) be a first generation student;

23 (2) be a resident of this state as determined by  
24 coordinating board rules;

25 (3) meet financial need requirements as defined by the  
26 coordinating board;

27 (4) be enrolled in an associate or baccalaureate

1 degree or certificate program at an institution of higher  
2 education;

3 (5) be enrolled as an entering student for at least  
4 one-half of a full course load for an entering student in the  
5 associate or baccalaureate degree or certificate program, as  
6 determined by the coordinating board;

7 (6) have applied for any available financial aid or  
8 assistance; and

9 (7) comply with any additional nonacademic  
10 requirement adopted by the coordinating board under this  
11 subchapter.

12 (b) A person is not eligible to receive a scholarship under  
13 the program if the person has been convicted of a felony or an  
14 offense under Chapter 481, Health and Safety Code, or under the law  
15 of another jurisdiction involving a controlled substance as defined  
16 by Chapter 481, Health and Safety Code, unless the person has met  
17 the other applicable eligibility requirements under the program and  
18 has:

19 (1) received a certificate of discharge by the Texas  
20 Department of Criminal Justice or a correctional facility or  
21 completed a period of probation ordered by a court, and at least two  
22 years have elapsed from the date of the receipt or completion; or

23 (2) been pardoned, had the record of the offense  
24 expunged from the person's record, or otherwise been released from  
25 the resulting ineligibility to receive a scholarship under the  
26 program.

27 (c) A person is not eligible to receive a scholarship under

1 the program if the person has:

2 (1) been granted:

3 (A) a certificate for completion of a certificate  
4 program; or

5 (B) an associate or baccalaureate degree; or

6 (2) completed more than the following number of  
7 semester credit hours or the equivalent at an institution of higher  
8 education:

9 (A) 90 semester credit hours or the equivalent,  
10 if the person is enrolled in a degree or certificate program of two  
11 years or less; or

12 (B) 135 semester credit hours or the equivalent,  
13 if the person is enrolled in a degree or certificate program of more  
14 than two years.

15 (d) A person may not receive a scholarship under the program  
16 for more than:

17 (1) 75 semester credit hours or the equivalent, if the  
18 person is enrolled in a degree or certificate program of two years  
19 or less; or

20 (2) 150 semester credit hours or the equivalent, if  
21 the person is enrolled in a degree or certificate program of more  
22 than two years.

23 (e) A person's eligibility for a scholarship under the  
24 program ends on:

25 (1) the third anniversary of the initial award of a  
26 scholarship under the program to the person, if the person is  
27 enrolled in a degree or certificate program of two years or less;

1           (2) the fifth anniversary of the initial award of a  
2 scholarship under the program to the person, if the person is  
3 enrolled in a degree or certificate program of more than two years  
4 but not more than four years; or

5           (3) the sixth anniversary of the initial award of a  
6 scholarship under the program to the person, if the person is  
7 enrolled in a degree or certificate program of more than four years.

8           Sec. 56.507. CONTINUING ELIGIBILITY AND ACADEMIC  
9 PERFORMANCE REQUIREMENTS. (a) After initially qualifying for a  
10 scholarship under the program, a person may continue to receive a  
11 scholarship under the program during each semester or term in which  
12 the person is enrolled at a participating institution only if the  
13 person:

14           (1) meets financial need requirements as defined by  
15 the coordinating board;

16           (2) is enrolled in an associate or baccalaureate  
17 degree or certificate program at a participating institution;

18           (3) is enrolled for at least one-half of a full course  
19 load for a student in an associate or baccalaureate degree or  
20 certificate program, as determined by the coordinating board;

21           (4) makes satisfactory academic progress toward an  
22 associate or baccalaureate degree or certificate; and

23           (5) complies with any additional nonacademic  
24 requirement adopted by the coordinating board.

25           (b) A person is not eligible to continue to receive a  
26 scholarship under this section if the person has been convicted of a  
27 felony or an offense under Chapter 481, Health and Safety Code, or

1 under the law of another jurisdiction involving a controlled  
2 substance as defined by Chapter 481, Health and Safety Code, unless  
3 the person has met the other applicable eligibility requirements  
4 under the program and has:

5 (1) received a certificate of discharge by the Texas  
6 Department of Criminal Justice or a correctional facility or  
7 completed a period of probation ordered by a court, and at least two  
8 years have elapsed from the date of the receipt or completion; or

9 (2) been pardoned, had the record of the offense  
10 expunged from the person's record, or otherwise been released from  
11 the resulting ineligibility to receive a scholarship under the  
12 program.

13 (c) If a person fails to meet any of the requirements of  
14 Subsection (a) after the completion of any semester or term, the  
15 person may not receive a scholarship under the program during the  
16 next semester or term in which the person enrolls. A person may  
17 become eligible to receive a scholarship under the program in a  
18 subsequent semester or term if the person:

19 (1) completes a semester or term during which the  
20 student is not eligible for a scholarship; and

21 (2) meets all the requirements of Subsection (a).

22 (d) For the purpose of this section, a person makes  
23 satisfactory academic progress toward an associate or  
24 baccalaureate degree or certificate only if:

25 (1) in the person's first academic year, the person  
26 meets the satisfactory academic progress requirements of the  
27 institution at which the person is enrolled; and

1           (2) in the subsequent academic year, the person:

2                   (A) completes at least 75 percent of the semester  
3 credit hours attempted in the student's most recent academic year;  
4 and

5                   (B) has earned an overall grade point average of  
6 at least 2.5 on a four-point scale or the equivalent on course work  
7 previously attempted at institutions of higher education.

8           (e) A person who is eligible to receive a scholarship under  
9 the program continues to remain eligible to receive the scholarship  
10 if the person enrolls in or transfers to another institution of  
11 higher education.

12           (f) The coordinating board shall adopt rules to allow a  
13 person who is otherwise eligible to receive a scholarship under the  
14 program, in the event of a hardship or for other good cause shown,  
15 including a showing of a severe illness or other debilitating  
16 condition that may affect the person's academic performance or that  
17 the person is responsible for the care of a sick, injured, or needy  
18 person and that the person's provision of care may affect the  
19 person's academic performance, to receive a scholarship under the  
20 program:

21                   (1) while enrolled in a number of semester credit  
22 hours that is less than the number of semester credit hours required  
23 under Subsection (a)(3); or

24                   (2) if the student's grade point average or completion  
25 rate falls below the satisfactory academic progress requirements of  
26 Subsection (d).

27           Sec. 56.508. SCHOLARSHIP USE. A scholarship awarded under

1 the program may be applied only to the payment of tuition and  
2 required fees at an institution of higher education.

3 Sec. 56.509. SCHOLARSHIP AMOUNT; ALLOCATION. (a) The  
4 amount of a scholarship awarded by an institution of higher  
5 education to an eligible student under the program for a semester or  
6 other academic term in which the student is enrolled at the  
7 institution may not exceed the difference between the amount of  
8 tuition and required fees charged to the student by the institution  
9 for that semester or term and the amount of any other gift aid,  
10 including state or federal grants or scholarships, awarded to the  
11 student for that semester or term.

12 (b) A scholarship may not be awarded under the program to an  
13 eligible student for a semester or other academic term until any  
14 other gift aid for which the student is eligible has been awarded to  
15 the student and the student's unmet financial need has been  
16 established for purposes of determining the appropriate amount of  
17 the student's scholarship under Subsection (a).

18 (c) An institution of higher education that awards a  
19 scholarship under the program is responsible for two-thirds of the  
20 total amount of the scholarship determined under Subsection (a).  
21 The state is responsible for the remainder, to be paid from the  
22 first generation matching scholarship account established under  
23 Section 56.503 or from other funds appropriated for that purpose.

24 Sec. 56.510. NOTIFICATION OF PROGRAM; RESPONSIBILITIES OF  
25 SCHOOL DISTRICTS. (a) The coordinating board, in consultation  
26 with all institutions of higher education, shall prepare materials  
27 designed to inform prospective students, their parents or

1 guardians, and high school counselors about the program and  
2 eligibility for a scholarship under the program. The coordinating  
3 board shall distribute to each institution of higher education and  
4 to each school district a copy of the materials prepared under this  
5 section.

6 (b) Each school district shall notify its high school  
7 students, those students' teachers and school counselors, and those  
8 students' parents or guardians of the program and the eligibility  
9 requirements of the program.

10 Sec. 56.511. GIFTS, GRANTS, AND DONATIONS. In addition to  
11 other money appropriated by the legislature, each institution of  
12 higher education may solicit, accept, and spend gifts, grants, and  
13 donations from any public or private source for the purposes of the  
14 program.

15 SECTION 2. (a) The Texas Higher Education Coordinating  
16 Board shall adopt rules to administer Subchapter S, Chapter 56,  
17 Education Code, as added by this Act, as soon as practicable after  
18 the effective date of this Act.

19 (b) Each public institution of higher education shall begin  
20 awarding scholarships under Subchapter S, Chapter 56, Education  
21 Code, as added by this Act, for the first academic year for which  
22 money is available for that purpose, except that an institution may  
23 not award scholarships under that subchapter for an academic year  
24 before the 2020-2021 academic year.

25 SECTION 3. This Act takes effect immediately if it receives  
26 a vote of two-thirds of all the members elected to each house, as  
27 provided by Section 39, Article III, Texas Constitution. If this

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1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect September 1, 2019.